## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

LYNN MORRIS, )

Plaintiff,

v.

C.A. No. 11-625 S

CAROLYN W. COLVIN, 1 Acting Commissioner of Social Security,

Defendant.

## ORDER

On February 1, 2013, United States Magistrate Judge Patricia A. Sullivan issued a Report and Recommendation (ECF No. 12) in the above-captioned matter. Judge Sullivan recommended that this Court deny Plaintiff's Motion to Reverse (ECF No. 9), and grant Defendant's Motion to Affirm (ECF No. 11). Plaintiff Lynn Morris objects to Judge Sullivan's Report Recommendation (ECF No. 13), arguing that the Administrative Law Judge ("ALJ") improperly discounted the credibility of her statements regarding pain. After reviewing the record, however, the Court finds that the ALJ's credibility finding was supported by substantial evidence. Contrary to Plaintiff's contentions, the ALJ did not ignore the fact that Plaintiff underwent a nerve

Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to 42 U.S.C. § 405(q), the present suit may continue notwithstanding this change.

study as well as a series of injections to address her back

pain. Indeed, the ALJ's opinion specifically refers to both the

nerve study (Tr. 17) and the injections (Tr. 18). More

importantly, as Judge Sullivan pointed out in her Report and

Recommendation, the ALJ's adverse credibility determination was

not based solely on the lack of objective medical evidence to

support Plaintiff's complaints. Rather, the ALJ also expressly

considered Plaintiff's own descriptions of her daily activities

(Tr. 16, 18) and her testimony that she does not take prescribed

medications for pain (Tr. 18). Because this Court agrees with

Judge Sullivan's conclusion that the ALJ's credibility finding

is supported by substantial evidence, it adopts her Report and

Recommendation pursuant to 28 U.S.C. § 636(b)(1). Plaintiff's

Motion to Reverse is DENIED, and Defendant's Motion to Affirm is

GRANTED.

IT IS SO ORDERED.

[s] William E. Smith

William E. Smith

United States District Judge

Date:

March 13, 2013

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